

## Message Text

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PAGE 01     PRETOR 02021 260901Z  
ACTION AF-10

INFO OCT-01 ISO-00 SSO-00 L-03 /014 W  
-----260916Z 121171 /20  
O 260800Z APR 77  
FM AMEMBASSY PRETORIA  
TO SECSTATE WASHDC IMMEDIATE 7420

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FOR AF/S

E.O. 11652: N/A  
TAGS: PINT, SF  
SUBJECT: SOUTH AFRICA FOUNDATION

REF: CRUMP-ROSSI TELCON

1. REGARDING LEGAL STATUS OF SOUTH AFRICA FOUNDATION, EMBASSY CONTACTED DEPUTY DIRECTOR CHRISTIE OF SA FOUNDATION WHO STATED THAT UNDER ITS CONSTITUTION, FOUNDATION IS LEGAL PERSON WHICH CAN SUE AND BE SUED. THERE IS PROVISION IN COMPANIES ACT FOR REGISTRATION OF NON-PROFIT ASSOCIATIONS BUT CHRISTIE STATED THAT ON LEGAL ADVICE FOUNDATION DECIDED THAT IT WAS NOT NECESSARY FOR FOUNDATION TO REGISTER UNDER THIS PROVISION WHEN IT WAS ORGANIZED IN 1959. CHRISTIE COULD NOT PROVIDE CITATION OF SPECIFIC SECTION OF LAW UNDER WHICH FOUNDATION OPERATES. REGISTRAR OF COMPANIES IN MINISTRY OF COMMERCE STATED THAT NUMBER NON-PROFIT ASSOCIATIONS DO NOT REGISTER UNDER THE COMPANIES ACT BUT ARE COVERED UNDER PROVISIONS OF VARIOUS OTHER ACTS DEPENDING ON THE ORGANIZATION'S PURPOSE. HE CITED PRIVATE SOCIAL WELFARE AGENCIES AS AMONG THOSE ORGANIZATIONS WHERE REGISTRATION UNDER COMPANIES ACT NOT REQUIRED BUT HE COULD NOT CITE SPECIFIC PROVISION WHICH WOULD APPLY TO SA FOUNDATION.

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2. EMBASSY ALSO SOUGHT INFORMAL READING FROM CONTACTS AMONG PRIVATE ATTORNEYS BUT THEY ARE UNABLE TO PROVIDE FURTHER CLARIFICATION. APPEARS THIS IS A FAIRLY COMPLEX LEGAL QUESTION. ONE POSSIBILITY IS TO ADDRESS MORE FORMAL INQUIRY TO SA FOUNDATION BUT WE ARE NOT CERTAIN HOW FRUITFUL SUCH AN APPROACH WOULD BE. BOWDLER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** BUSINESS REPUTATION, COMMERCIAL LAW  
**Control Number:** n/a  
**Copy:** SINGLE  
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**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977PRETOR02021  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770144-1136  
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**Litigation History:**  
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**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
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**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 09-Feb-2005 12:00:00 am  
**Review Event:**  
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**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2691122  
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**Status:** NATIVE  
**Subject:** SOUTH AFRICA FOUNDATION  
**TAGS:** PINT, SF, SOUTH AFRICA FOUNDATION  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009